

**H.R. 1277, AS REPORTED
BY THE SUBCOMMITTEE ON ENERGY AND POWER
ON MAY 22, 1997**

Strike all after the enacting clause and insert in lieu thereof the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Department of Energy
3 Civilian Research and Development Act of 1997”.

4 SEC. 2. DEFINITIONS.

5 For purposes of this Act—

6 (1) the term “CERN” means the European Or-
7 ganization for Nuclear Research;

8 (2) the term “Department” means the Depart-
9 ment of Energy;

10 (3) the term “Large Hadron Collider project”
11 means the Large Hadron Collider project at CERN;
12 and

13 (4) the term “Secretary” means the Secretary
14 of Energy.

15 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

16 (a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT
17 ACTIVITIES.—There are authorized to be appropriated to
18 the Secretary for Energy Supply Research and Develop-
19 ment operating expenses and capital equipment

1 \$1,942,429,000 for fiscal year 1998 and \$1,965,401,000
2 for fiscal year 1999, of which—

3 (1) \$272,820,000 for fiscal year 1998 (reduced
4 by \$15,000,000 to reflect the use of prior year bal-
5 ances) and \$270,342,000 for fiscal year 1999 shall
6 be for Solar and Renewable Resources Technologies,
7 including—

8 (A) \$2,150,000 for fiscal year 1998 and
9 \$2,150,000 for fiscal year 1999 for Solar Build-
10 ing Technology Research;

11 (B) \$63,900,000 for fiscal year 1998 and
12 \$64,900,000 for fiscal year 1999 for Photo-
13 voltaic Energy Systems;

14 (C) \$18,170,000 for fiscal year 1998 and
15 \$13,620,000 for fiscal year 1999 for Solar
16 Thermal Energy Systems;

17 (D) \$28,835,000 for fiscal year 1998 and
18 \$28,190,000 for fiscal year 1999 for Biopower/
19 Biofuels Energy Systems;

20 (E) \$29,500,000 for fiscal year 1998 and
21 \$18,140,000 for fiscal year 1999 for Wind En-
22 ergy Systems;

23 (F) \$2,800,000 for fiscal year 1998 and
24 \$500,000 for fiscal year 1999 for the National
25 Renewable Energy Laboratory;

1 (G) \$19,518,000 for fiscal year 1998 and
2 \$19,518,000 for fiscal year 1999 for Geo-
3 thermal Electric Research and Development
4 and Deployment;

5 (H) \$1,000,000 for fiscal year 1998 for
6 Hydropower;

7 (I) \$44,500,000 for fiscal year 1998 and
8 \$36,500,000 for fiscal year 1999 for Electric
9 Energy Systems and Storage, of which—

10 (i) \$8,000,000 for fiscal year 1998
11 shall be for Electric and Magnetic Fields
12 Research and Development;

13 (ii) \$32,500,000 for fiscal year 1998
14 and \$32,500,000 for fiscal year 1999 shall
15 be for High-Temperature Superconductiv-
16 ity Research and Development; and

17 (iii) \$4,000,000 for fiscal year 1998
18 and \$4,000,000 for fiscal year 1999 shall
19 be for Energy Storage Systems;

20 (J) \$50,000,000 for fiscal year 1998 and
21 \$75,000,000 for fiscal year 1999 shall be for a
22 Solar and Renewable Energy Science Initiative,
23 to be managed by the Director of the Office of
24 Energy Research, in consultation with the As-
25 sistant Secretary for Energy Efficiency and Re-

1 newable Energy on the goals and priorities of
2 the initiative, for grants to be competitively
3 awarded and subject to peer review for research
4 related to solar and renewable energy; and

5 (K) \$12,447,000 for fiscal year 1998 and
6 \$11,824,000 for fiscal year 1999 for Program
7 Direction;

8 (2) \$152,312,000 for fiscal year 1998 and
9 \$134,733,000 for fiscal year 1999 shall be for Nu-
10 clear Energy, including—

11 (A) \$47,000,000 for fiscal year 1998 and
12 \$43,350,000 for fiscal year 1999 for Advanced
13 Radioisotope Power Systems;

14 (B) \$9,500,000 for fiscal year 1998 and
15 \$8,809,000 for fiscal year 1999 for Oak Ridge
16 Landlord;

17 (C) \$3,217,000 for fiscal year 1998 and
18 \$3,217,000 for fiscal year 1999 for Test Reac-
19 tor Area Landlord;

20 (D) \$2,000,000 for fiscal year 1998 for
21 Advanced Test Reactor Fusion Irradiations;

22 (E) \$6,000,000 for fiscal year 1998 and
23 \$6,000,000 for fiscal year 1999 for University
24 Nuclear Science and Reactor Support;

1 (F) \$70,535,000 for fiscal year 1998 and
2 \$60,000,000 for fiscal year 1999 for Termi-
3 nation Costs; and

4 (G) \$14,060,000 for fiscal year 1998 and
5 \$13,357,000 for fiscal year 1999 for Program
6 Direction;

7 (3) \$367,538,000 for fiscal year 1998 and
8 \$378,564,000 for fiscal year 1999 shall be for Bio-
9 logical and Environmental Research, including—

10 (A) \$157,037,000 for fiscal year 1998 and
11 \$161,748,000 for fiscal year 1999 for Life
12 Sciences;

13 (B) \$100,954,000 for fiscal year 1998 and
14 \$103,983,000 for fiscal year 1999 for Environ-
15 mental Processes;

16 (C) \$66,435,000 for fiscal year 1998 and
17 \$68,428,000 for fiscal year 1999 for Environ-
18 mental Remediation;

19 (D) \$43,112,000 for fiscal year 1998 and
20 \$44,405,000 for fiscal year 1999 for Medical
21 Applications and Measurement Sciences; and

22 (E) \$1,000,000 for fiscal year 1998 and
23 \$1,000,000 for fiscal year 1999 for the United
24 States-Mexico Foundation for Science for re-
25 search on biosciences and the environment,

1 except that, notwithstanding subparagraphs (A)
2 through (E), the total amount which may be appro-
3 priated under this paragraph shall not exceed the
4 overall sums stated at the beginning of this para-
5 graph;

6 (4) \$240,000,000 for fiscal year 1998 and
7 \$240,000,000 for fiscal year 1999 shall be for Fu-
8 sion Energy Sciences, of which \$5,000,000 for fiscal
9 year 1998 and \$5,000,000 for fiscal year 1999 shall
10 be for General Plasma Science;

11 (5) \$659,812,000 for fiscal year 1998 and
12 \$678,888,000 for fiscal year 1999 shall be for Basic
13 Energy Sciences, including—

14 (A) \$391,047,000 for fiscal year 1998 and
15 \$402,060,000 for fiscal year 1999 for Materials
16 Sciences, of which not to exceed \$5,000,000 for
17 each such fiscal year may be used for the High
18 Flux Beam Reactor at Brookhaven National
19 Laboratory;

20 (B) \$199,933,000 for fiscal year 1998 and
21 \$205,931,000 for fiscal year 1999 for Chemical
22 Sciences;

23 (C) \$41,371,000 for fiscal year 1998 and
24 \$42,612,000 for fiscal year 1999 for Engineer-
25 ing and Geosciences; and

1 (D) \$27,461,000 for fiscal year 1998 and
2 \$28,285,000 for fiscal year 1999 for Energy
3 Biosciences;

4 (6) \$140,907,000 for fiscal year 1998 and
5 \$145,134,000 for fiscal year 1999 shall be for Com-
6 putational and Technology Research, including—

7 (A) \$117,490,000 for fiscal year 1998 and
8 \$121,014,000 for fiscal year 1999 for Mathe-
9 matical, Information, and Computational
10 Sciences;

11 (B) \$15,829,000 for fiscal year 1998 and
12 \$16,304,000 for fiscal year 1999 for Labora-
13 tory Technology Research; and

14 (C) \$7,588,000 for fiscal year 1998 and
15 \$7,816,000 for fiscal year 1999 for Advanced
16 Energy Projects;

17 (7) \$1,500,000 for fiscal year 1998 and
18 \$1,500,000 for fiscal year 1999 shall be for Energy
19 Research Analysis;

20 (8) \$29,070,000 for fiscal year 1998 and
21 \$27,434,000 for fiscal year 1999 shall be for Energy
22 Research-Energy Supply Program Direction; and

23 (9) \$93,480,000 for fiscal year 1998 and
24 \$88,806,000 for fiscal year 1999 shall be for Field
25 Operations.

1 (b) ENERGY ASSETS ACQUISITION.—There are au-
2 thorized to be appropriated to the Secretary for the pur-
3 chase, construction, expansion, and acquisition of real
4 plant, property, and other physical assets for energy sup-
5 ply research and development activities, \$34,885,000 for
6 fiscal year 1998 and \$29,432,000 for fiscal year 1999, of
7 which—

8 (1) for Solar and Renewable Resources Tech-
9 nology, \$2,200,000 for fiscal year 1998 shall be for
10 completion of Project 96-E-100, Field Test Labora-
11 tory Building Renovation and Expansion, National
12 Renewable Energy Laboratory;

13 (2) for Nuclear Energy, \$4,425,000 for fiscal
14 year 1998 and \$6,425,000 for fiscal year 1999 shall
15 be for completion of Project 95-E-201, Test Reac-
16 tor Area Fire and Life Safety Improvements, Idaho
17 National Engineering and Environmental Labora-
18 tory;

19 (3) for Basic Energy Sciences, \$7,000,000 for
20 fiscal year 1998 and \$4,000,000 for fiscal year 1999
21 for completion of Project 96-E-300, Combustion
22 Research Facility, Phase II, Sandia National Lab-
23 oratories, Livermore, California; and

1 (4) for Multiprogram Energy Laboratories-Fa-
2 cilities Support, \$21,260,000 for fiscal year 1998
3 and \$19,007,000 for fiscal year 1999 for—

4 (A) Project MEL-001, Multiprogram En-
5 ergy Laboratories Infrastructure Project, Var-
6 ious Locations, \$7,259,000 for fiscal year 1998
7 and \$12,161,000 for fiscal year 1999;

8 (B) Project 96-E-333, Multiprogram En-
9 ergy Laboratories Upgrades, Various Locations,
10 \$5,273,000 for fiscal year 1998 and \$268,000
11 for fiscal year 1999;

12 (C) Project 95-E-308, Sanitary System
13 Modifications, Phase II, Brookhaven National
14 Laboratory, Upton, New York, \$568,000 for
15 fiscal year 1998;

16 (D) Project 95-E-307, Fire Safety Im-
17 provements-Phase III, Argonne National Lab-
18 oratory, Argonne, Illinois, \$718,000 for fiscal
19 year 1998;

20 (E) Project 95-E-301, Central Heating
21 Plant Rehabilitation-Phase I, Argonne National
22 Laboratory, Argonne, Illinois, \$3,442,000 for
23 fiscal year 1998; and

24 (F) Project 94-E-363, Roofing Improve-
25 ments, Oak Ridge National Laboratory, Oak

1 Ridge, Tennessee, \$4,000,000 for fiscal year
2 1998 and \$6,578,000 for fiscal year 1999.

3 (c) GENERAL SCIENCE AND RESEARCH ACTIVI-
4 TIES.—There are authorized to be appropriated to the
5 Secretary for General Science and Research Activities op-
6 erating expenses and capital equipment—

7 (1) \$865,210,000 for fiscal year 1998 (reduced
8 by \$15,000,000 to reflect the use of prior year bal-
9 ances), including—

10 (A) \$599,185,000 for High Energy Phys-
11 ics;

12 (B) \$256,525,000 for Nuclear Physics;
13 and

14 (C) \$9,500,000 for Program Direction;
15 and

16 (2) \$941,000,000 for fiscal year 1999, includ-
17 ing—

18 (A) \$607,645,000 for High Energy Phys-
19 ics;

20 (B) \$324,330,000 for Nuclear Physics;
21 and

22 (C) \$9,025,000 for Program Direction.

23 None of the funds authorized for High Energy Physics
24 by this subsection or subsection (d) may be used for the
25 Large Hadron Collider project, unless the Secretary, in

1 consultation with the Director of the National Science
2 Foundation, has transmitted to the Committee on Science
3 of the House of Representatives and the Committee on
4 Energy and Natural Resources of the Senate a report on
5 the impacts of such funding on the operations and viability
6 of United States high energy and nuclear physics facilities.

7 (d) SCIENCE ASSETS ACQUISITION.—There are au-
8 thorized to be appropriated to the Secretary for the pur-
9 chase, construction, expansion, and acquisition of real
10 plant, property, and other physical assets for general
11 science and research activities, \$126,870,000 for fiscal
12 year 1998, of which—

13 (1) \$50,850,000 shall be for High Energy
14 Physics, including—

15 (A) \$30,950,000 for completion of Project
16 92-G-302, Fermilab Main Injector, Fermi Na-
17 tional Accelerator Laboratory, Illinois;

18 (B) \$9,400,000 for completion of Project
19 97-G-303, Stanford Linear Accelerator Center
20 Master Station Upgrade, California;

21 (C) \$5,500,000 for architectural engineer-
22 ing and technical design work for Project 98-
23 G-304, Neutrinos at the Main Injector, Fermi
24 National Accelerator Laboratory, Illinois; and

1 (D) \$5,000,000 for completion of Project
2 98-G-305, Fermilab C-Zero Area Experimental
3 Hall, Fermi National Accelerator Laboratory,
4 Illinois; and

5 (2) \$76,020,000 shall be for Nuclear Physics,
6 for completion of Project 91-G-300, Relativistic
7 Heavy Ion Collider, Brookhaven National Labora-
8 tory, Upton, New York.

9 (e) FOSSIL ENERGY RESEARCH AND DEVELOP-
10 MENT.—There are authorized to be appropriated to the
11 Secretary for Fossil Energy Research and Development
12 operating expenses, capital equipment, and construction,
13 \$335,919,000 for fiscal year 1998 and \$335,250,000 for
14 fiscal year 1999, of which—

15 (1) \$105,831,000 for fiscal year 1998 and
16 \$104,206,000 for fiscal year 1999 shall be for Coal
17 operating expenses, including—

18 (A) \$5,064,000 for fiscal year 1998 and
19 \$5,064,000 for fiscal year 1999 for Coal Prepa-
20 ration;

21 (B) \$5,816,000 for fiscal year 1998 and
22 \$5,816,000 for fiscal year 1999 for Direct Liq-
23 uefaction;

1 (C) \$4,223,000 for fiscal year 1998 and
2 \$4,223,000 for fiscal year 1999 for Indirect
3 Liquefaction;

4 (D) \$741,000 for fiscal year 1998 and
5 \$741,000 for fiscal year 1999 for Advanced
6 Clean Fuels Research Advanced Research and
7 Environmental Technology;

8 (E) \$5,462,000 for fiscal year 1998 and
9 \$5,462,000 for fiscal year 1999 for Advanced
10 Pulverized Coal-Fired Powerplant;

11 (F) \$10,927,000 for fiscal year 1998 and
12 \$10,927,000 for fiscal year 1999 for Indirect
13 Fired Cycle;

14 (G) \$22,342,000 for fiscal year 1998 and
15 \$20,717,000 for fiscal year 1999 for High-Effi-
16 ciency-Integrated Gasification Combined Cycle;

17 (H) \$17,875,000 for fiscal year 1998 and
18 \$17,875,000 for fiscal year 1999 for High-Effi-
19 ciency Pressurized Fluidized Bed;

20 (I) \$9,734,000 for fiscal year 1998 and
21 \$9,734,000 for fiscal year 1999 for Advanced
22 Clean/Efficient Power Systems Advanced Re-
23 search and Environmental Technology; and

1 (J) \$23,647,000 for fiscal year 1998 and
2 \$23,647,000 for fiscal year 1999 for Advanced
3 Research and Technology Development;

4 (2) \$47,419,000 for fiscal year 1998 and
5 \$46,464,000 for fiscal year 1999 shall be for Oil
6 Technology operating expenses, including—

7 (A) \$31,157,000 for fiscal year 1998 and
8 \$31,157,000 for fiscal year 1999 for Explo-
9 ration and Production Supporting Research;

10 (B) \$3,931,000 for fiscal year 1998 and
11 \$3,931,000 for fiscal year 1999 for Recovery
12 Field Demonstrations;

13 (C) \$6,411,000 for fiscal year 1998 and
14 \$5,456,000 for fiscal year 1999 for Exploration
15 and Production Environmental Research; and

16 (D) \$5,920,000 for fiscal year 1998 and
17 \$5,920,000 for fiscal year 1999 for Processing
18 Research and Downstream Operations;

19 (3) \$85,877,000 for fiscal year 1998 and
20 \$85,877,000 for fiscal year 1999 shall be for Gas
21 operating expenses, including—

22 (A) \$14,123,000 for fiscal year 1998 and
23 \$14,123,000 for fiscal year 1999 for Natural
24 Gas Research Exploration and Production;

1 (B) \$993,000 for fiscal year 1998 and
2 \$993,000 for fiscal year 1999 for Natural Gas
3 Research Delivery and Storage;

4 (C) \$31,379,000 for fiscal year 1998 and
5 \$31,379,000 for fiscal year 1999 for Natural
6 Gas Research Advanced Turbine Systems;

7 (D) \$4,808,000 for fiscal year 1998 and
8 \$4,808,000 for fiscal year 1999 for Natural
9 Gas Research Utilization;

10 (E) \$4,617,000 for fiscal year 1998 and
11 \$4,617,000 for fiscal year 1999 for Natural
12 Gas Research Environmental Research/Regu-
13 latory Analysis;

14 (F) \$1,210,000 for fiscal year 1998 and
15 \$1,210,000 for fiscal year 1999 for Fuel Cells
16 Advanced Research;

17 (G) \$16,335,000 for fiscal year 1998 and
18 \$16,335,000 for fiscal year 1999 for Fuel Cells
19 Molten Carbonate Systems to continue cost-
20 shared cost reduction and performance improve-
21 ment of one system; and

22 (H) \$12,412,000 for fiscal year 1998 and
23 \$12,412,000 for fiscal year 1999 for Fuel Cells
24 Advanced Concepts;

1 (4) \$61,783,000 for fiscal year 1998 and
2 \$62,494,000 for fiscal year 1999 shall be for Pro-
3 gram Direction and Management Support operating
4 expenses, including—

5 (A) \$13,676,000 for fiscal year 1998 and
6 \$12,992,000 for fiscal year 1999 for Head-
7 quarters Program Direction; and

8 (B) \$48,107,000 for fiscal year 1998 and
9 \$49,502,000 for fiscal year 1999 for Energy
10 Technology Center Program Direction;

11 (5) \$2,000,000 for fiscal year 1998 and
12 \$2,000,000 for fiscal year 1999 shall be for Plant
13 and Capital Equipment, for construction of General
14 Plant Projects;

15 (6) \$5,836,000 for fiscal year 1998 and
16 \$5,836,000 for fiscal year 1999 shall be for Cooper-
17 ative Research and Development operating expenses;

18 (7) \$2,173,000 for fiscal year 1998 and
19 \$2,173,000 for fiscal year 1999 shall be for Fuels
20 Conversion, Natural Gas, and Electricity operating
21 expenses; and

22 (8) \$25,000,000 for fiscal year 1998 and
23 \$30,000,000 for fiscal year 1999 shall be for a Fos-
24 sil Energy Science Initiative to be managed by the
25 Director of the Office of Energy Research, in con-

1 sultation with the Assistant Secretary for Fossil En-
2 ergy on the goals and priorities of the initiative, for
3 grants to be competitively awarded and subject to
4 peer review for research relating to fossil energy.

5 Notwithstanding paragraphs (1) through (8), the total
6 amount which may be appropriated under this subsection
7 shall not exceed the overall sums stated at the beginning
8 of this subsection;

9 (f) ENERGY CONSERVATION RESEARCH AND DEVEL-
10 OPMENT.—There are authorized to be appropriated to the
11 Secretary for Energy Conservation Research and Develop-
12 ment operating expenses and capital equipment,
13 \$414,208,000 for fiscal year 1998 (reduced by
14 \$20,000,000 to reflect the use of prior year balances) and
15 \$436,703,000 for fiscal year 1999, of which—

16 (1) \$41,004,000 for fiscal year 1998 and
17 \$40,230,000 for fiscal year 1999 shall be for the
18 Building Technology, State and Community Sector
19 (Non-Grants), including—

20 (A) \$8,762,000 for fiscal year 1998 and
21 \$8,762,000 for fiscal year 1999 for Building
22 Systems Design for Building America Program;

23 (B) \$20,550,000 for fiscal year 1998 and
24 \$20,250,000 for fiscal year 1999 for Building
25 Equipment and Materials; and

1 (C) \$11,692,000 for fiscal year 1998 and
2 \$11,218,000 for fiscal year 1999 for Manage-
3 ment and Planning;

4 (2) \$125,380,000 for fiscal year 1998 and
5 \$125,048,000 for fiscal year 1999 shall be for the
6 Industry Sector, including—

7 (A) \$55,660,000 for fiscal year 1998 and
8 \$55,660,000 for fiscal year 1999 for Industries
9 of the Future (Specific);

10 (B) \$39,120,000 for fiscal year 1998 and
11 \$39,120,000 for fiscal year 1999 for Industries
12 of the Future (Crosscutting);

13 (C) \$23,950,000 for fiscal year 1998 and
14 \$23,950,000 for fiscal year 1999 for Tech-
15 nology Access; and

16 (D) \$6,650,000 for fiscal year 1998 and
17 \$6,318,000 for fiscal year 1999 for Manage-
18 ment and Planning;

19 (3) \$176,876,000 for fiscal year 1998 and
20 \$176,525,000 for fiscal year 1999 shall be for the
21 Transportation Sector, including—

22 (A) \$124,046,000 for fiscal year 1998 and
23 \$124,046,000 for fiscal year 1999 for Advanced
24 Automotive Technologies;

1 (B) \$18,000,000 for fiscal year 1998 and
2 \$18,000,000 for fiscal year 1999 for Advanced
3 Heavy Vehicle Technologies;

4 (C) \$30,500,000 for fiscal year 1998 and
5 \$30,500,000 for fiscal year 1999 for Transpor-
6 tation Materials Technologies; and

7 (D) \$7,030,000 for fiscal year 1998 and
8 \$6,679,000 for fiscal year 1999 for Implemen-
9 tation and Program Management,

10 except that, notwithstanding subparagraphs (A)
11 through (D), the total amount which may be appro-
12 priated under this paragraph shall not exceed the
13 overall sums stated at the beginning of this para-
14 graph;

15 (4) \$20,948,000 for fiscal year 1998 and
16 \$19,900,000 for fiscal year 1999 shall be for Policy
17 and Management; and

18 (5) \$50,000,000 for fiscal year 1998 and
19 \$75,000,000 for fiscal year 1999 shall be for an En-
20 ergy Efficiency Science Initiative to be managed by
21 the Director of the Office of Energy Research, in
22 consultation with the Assistant Secretary for Energy
23 Efficiency and Renewable Energy on the goals and
24 priorities of the initiative, for grants to be competi-

1 tively awarded and subject to peer review for re-
2 search relating to energy efficiency.

3 **SEC. 4. FUNDING LIMITATIONS.**

4 None of the funds authorized by this Act for fiscal
5 year 1998 or fiscal year 1999 may be used for the follow-
6 ing programs, projects, and activities, except to fulfill con-
7 tractual obligations:

8 (1) Nuclear Energy Advanced Light Water Re-
9 actor.

10 (2) Nuclear Energy Commercial Reactor.

11 (3) Nuclear Energy Security.

12 (4) Nuclear Energy Termination Costs Gas
13 Turbine-Modular Helium Reactor.

14 (5) Nuclear Energy Termination Costs Ad-
15 vanced Light Water Reactor.

16 (6) Fossil Energy Research and Development
17 Advanced Research and Technology Development
18 Coal Technology Export.

19 **SEC. 5. NATIONAL ACADEMY OF SCIENCES REPORTS.**

20 (a) HIGH ENERGY AND NUCLEAR PHYSICS.—The
21 Secretary shall enter into appropriate arrangements with
22 National Academy of Sciences for the Academy to prepare
23 a report on the high energy and nuclear physics activities
24 of the Department, assuming a combined budget of
25 \$977,080,000 for all activities authorized under section 3

1 (c) and (d) for fiscal year 1998, and \$941,000,000 for
2 each of the fiscal years 1999, 2000, 2001, and 2002. The
3 report shall include—

4 (1) a priority list of research opportunities, in-
5 cluding both ongoing and proposed activities;

6 (2) an analysis of the relevance of each research
7 facility to the research opportunities listed under
8 paragraph (1);

9 (3) recommendations for the optimal balance
10 among facility operations, construction, and research
11 support and the optimal balance between university
12 and laboratory research programs; and

13 (4) recommended schedules for the continu-
14 ation, consolidation, or termination of each research
15 program, and continuation, upgrade, transfer, or clo-
16 sure of each research facility.

17 Not later than December 31, 1997, the Secretary shall
18 transmit to the Committee on Science of the House of
19 Representatives and the Committee on Energy and Natu-
20 ral Resources of the Senate the report prepared under this
21 subsection.

22 (b) BASIC ENERGY SCIENCES.—(1) The Secretary
23 shall enter into appropriate arrangements with the Na-
24 tional Academy of Sciences for the Academy to prepare
25 a report on the basic energy sciences activities of the De-

1 partment, based on the following three budget options for
2 the entire Basic Energy Sciences account and all related
3 research and energy asset activities:

4 (A) Provision of \$683,000,000 for each of the
5 fiscal years 1999 through 2002.

6 (B) Provision of \$683,000,000 for fiscal year
7 1999, and an amount reflecting a three percent re-
8 duction in each year thereafter through fiscal year
9 2002.

10 (C) Provision of \$683,000,000 for fiscal year
11 1999, and an amount reflecting a three percent in-
12 crease in each year thereafter through fiscal year
13 2002.

14 (2) None of the figures described in paragraph (1)(A)
15 through (C) shall be altered to reflect inflationary allow-
16 ances. The report shall include—

17 (A) a priority list of research opportunities, in-
18 cluding both ongoing and proposed activities;

19 (B) an analysis of the relevance of each re-
20 search facility to the research opportunities listed
21 under subparagraph (A);

22 (C) recommendations for the optimal balance
23 among facility operations, construction, and research
24 support and the optimal balance between university
25 and laboratory research programs; and

1 (D) recommended schedules for the continu-
2 ation, consolidation, or termination of each research
3 program, and continuation, upgrade, transfer, or clo-
4 sure of each research facility.

5 Not later than December 31, 1997, the Secretary shall
6 transmit to the Committee on Science of the House of
7 Representatives and the Committee on Energy and Natu-
8 ral Resources of the Senate the report prepared under this
9 paragraph.

10 (c) NATIONAL SPALLATION NEUTRON SOURCE.—

11 The Secretary shall enter into appropriate arrangements
12 with National Academy of Sciences for the Academy to
13 prepare a report containing a detailed evaluation of the
14 costs of construction and operation of the National Spall-
15 ation Neutron Source at alternative appropriate sites, in-
16 cluding at least the Argonne National Laboratory, the
17 Brookhaven National Laboratory, the Los Alamos Na-
18 tional Laboratory, and the Oak Ridge National Labora-
19 tory. Such report shall also include an identification of
20 other advantages and disadvantages of each site evaluated.
21 Not later than December 31, 1997, the Secretary shall
22 transmit to the Committee on Science of the House of
23 Representatives and the Committee on Energy and Natu-
24 ral Resources of the Senate the report prepared under this
25 subsection. Along with such report, the Secretary shall in-

1 clude a recommendation from the Department for the pre-
2 ferred site that will meet its program criteria, taking into
3 consideration the effect of delay on neutron science work,
4 existing expertise in the field of neutron science, affili-
5 ations with institutions of higher education in neutron
6 science, and State allocations or commitments to facilities.

7 **SEC. 6. NEXT GENERATION INTERNET.**

8 None of the funds authorized by this Act, or any
9 other Act enacted before the date of the enactment of this
10 Act, may be used for the Next Generation Internet. Not-
11 withstanding the previous sentence, funds may be used for
12 the continuation of programs and activities that were
13 funded and carried out during fiscal year 1997.

14 **SEC. 7. LIMITATIONS.**

15 (a) **PROHIBITION OF LOBBYING ACTIVITIES.**—None
16 of the funds authorized by this Act shall be available for
17 any activity whose purpose is to influence legislation pend-
18 ing before the Congress, except that this subsection shall
19 not prevent officers or employees of the United States or
20 of its departments or agencies from communicating to
21 Members of Congress on the request of any Member or
22 to Congress, through the proper channels, requests for leg-
23 islation or appropriations which they deem necessary for
24 the efficient conduct of the public business.

1 (b) LIMITATION ON APPROPRIATIONS.—No sums are
2 authorized to be appropriated to the Secretary for fiscal
3 years 1998 and 1999 for the activities for which sums are
4 authorized by this Act, unless such sums are specifically
5 authorized to be appropriated by this Act.

6 (c) ELIGIBILITY FOR AWARDS.—

7 (1) IN GENERAL.—The Secretary shall exclude
8 from consideration for grant agreements made by
9 the Department after fiscal year 1997 any person
10 who received funds, other than those described in
11 paragraph (2), appropriated for a fiscal year after
12 fiscal year 1997, under a grant agreement from any
13 Federal funding source for a project that was not
14 subjected to a competitive, merit-based award proc-
15 ess. Any exclusion from consideration pursuant to
16 this subsection shall be effective for a period of 5
17 years after the person receives such Federal funds.

18 (2) EXCEPTION.—Paragraph (1) shall not
19 apply to the receipt of Federal funds by a person
20 due to the membership of that person in a class
21 specified by law for which assistance is awarded to
22 members of the class according to a formula pro-
23 vided by law.

24 (3) DEFINITION.—For purposes of this sub-
25 section, the term “grant agreement” means a legal

1 instrument whose principal purpose is to transfer a
2 thing of value to the recipient to carry out a public
3 purpose of support or stimulation authorized by a
4 law of the United States, and does not include the
5 acquisition (by purchase, lease, or barter) of prop-
6 erty or services for the direct benefit or use of the
7 United States Government. Such term does not in-
8 clude a cooperative agreement (as such term is used
9 in section 6305 of title 31, United States Code) or
10 a cooperative research and development agreement
11 (as such term is defined in section 12(d)(1) of the
12 Stevenson-Wydler Technology Innovation Act of
13 1980 (15 U.S.C. 3710a(d)(1))).

14 **SEC. 8. NOTICE.**

15 (a) NOTICE OF REPROGRAMMING.—If any funds au-
16 thorized by this Act are subject to a reprogramming action
17 that requires notice to be provided to the Appropriations
18 Committees of the House of Representatives and the Sen-
19 ate, notice of such action shall concurrently be provided
20 to the Committees on Science and Commerce of the House
21 of Representatives and the Committee on Energy and
22 Natural Resources of the Senate.

23 (b) NOTICE OF REORGANIZATION.—The Secretary
24 shall provide notice to the Committees on Science, Com-
25 merce, and Appropriations of the House of Representa-

1 tives, and the Committees on Energy and Natural Re-
2 sources and Appropriations of the Senate, not later than
3 15 days before any major reorganization of any program,
4 project, or activity of the Department.

5 **SEC. 9. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

6 With the year 2000 fast approaching, it is the sense
7 of Congress that the Department should—

8 (1) give high priority to correcting all 2-digit
9 date-related problems in its computer systems to en-
10 sure that those systems continue to operate effec-
11 tively in the year 2000 and beyond;

12 (2) assess immediately the extent of the risk to
13 the operations of the Department posed by the prob-
14 lems referred to in paragraph (1), and plan and
15 budget for achieving Year 2000 compliance for all of
16 its mission-critical systems; and

17 (3) develop contingency plans for those systems
18 that the Department is unable to correct in time.

19 **SEC. 10. BUY AMERICAN.**

20 (a) **COMPLIANCE WITH BUY AMERICAN ACT.**—No
21 funds appropriated pursuant to this Act may be expended
22 by an entity unless the entity agrees that in expending
23 the assistance the entity will comply with sections 2
24 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
25 10c, popularly known as the “Buy American Act”).

1 (b) SENSE OF CONGRESS.—In the case of any equip-
2 ment or products that may be authorized to be purchased
3 with financial assistance provided under this Act, it is the
4 sense of Congress that entities receiving such assistance
5 should, in expending the assistance, purchase only Amer-
6 ican-made equipment and products.

7 (c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
8 providing financial assistance under this Act, the Sec-
9 retary of Energy shall provide to each recipient of the as-
10 sistance a notice describing the statement made in sub-
11 section (a) by the Congress.